


CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
April 02, 2003 Date	 Shelley P.M. Fussey

#10
Shelley P.M. Fussey
4/5/03
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Hills *et al.*

Serial No.: 09/856,400

Filed: May 22, 2001

For: Anti-Asthmatic Combinations Comprising
Surface Active Phospholipids

Group Art Unit: 1616

Examiner: M. Haghighatian

Atty. Dkt. No.: 4040.000300

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that the present Supplemental Information Disclosure Statement be entered and the document listed on the enclosed Form PTO-1449 be considered by the Examiner and made of record in the present case. A copy of the listed document required by 37 C.F.R. § 1.98(a)(2) is enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

A first Official Action reflecting examination on the merits has been received in the present application. This Supplemental Information Disclosure Statement is being filed prior to the mailing of a final Official Action, notice of allowance or an Action that closes prosecution. The Supplemental Information Disclosure Statement is being submitted in an abundance of caution and should be enterable under 37 C.F.R. § 1.97(c) without a fee in light of the following information.

Applicants certify that the item of information contained in this Supplemental Information Disclosure Statement was not cited in a communication from a foreign patent office in a related foreign application. The listed U.S. patent is the issued version of an application that has already been disclosed to the Office, and the patent is therefore believed to be cumulative over the application of record and disclosure should not require a fee.

However, should a fee to enter this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(c) be deemed necessary, the Assistant Commissioner is hereby authorized to deduct said fee from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/4040.000300.



Respectfully submitted,

A handwritten signature in black ink, appearing to read "Shelley P.M. Fussey".

Shelley P.M. Fussey, Ph.D.
Reg. No. 39,458
Agent for Applicant

WILLIAMS, MORGAN & AMERSON, P.C.
10333 Richmond, Suite 1100
Houston, Texas, 77042
(713) 934-4079

Date: April 02, 2003